

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

*

v.

*

CRIMINAL NO. JKB-21-0458

ELIAS NICK COSTIANES, JR.,

*

Defendants.

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SENTENCING SCHEDULING ORDER

The Court has set in an August 14, 2024 resentencing for Elias Nick Costianes, Jr. (ECF No. 125.) In connection with this resentencing, the Court sets in the following dates and deadlines:¹

1. If counsel for either party intends to call any witnesses at the sentencing hearing, counsel shall submit, in writing, to the Court and opposing counsel, on or before July 31, 2024, a statement containing (a) the names of the witnesses, (b) a synopsis of their anticipated testimony, and (c) an estimate of the anticipated length of the hearing.
2. Sentencing memoranda are not required unless a party intends to request a sentence outside the advisory guidelines range on the basis of a non-guideline factor. If submitted, they shall be filed with the Clerk and a copy delivered to chambers on or before July 31, 2024. Opposing or responding memoranda are not required. If submitted, they shall be delivered to chambers on or before August 7, 2024. Copies of all memoranda must be sent to the Probation Officer. Sentencing memoranda are not sealed documents. If the memoranda

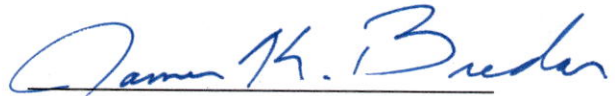
¹ The Court does not set in deadlines relating to the Presentence Report ("PSR"), as one was already docketed in connection with Defendant's initial sentencing. (See ECF No. 86.) To the extent the parties seek to amend the PSR, the Court expects the parties to do so in consultation with Probation without the need for additional deadlines.

or attachments contain sensitive material, they should be filed under seal and accompanied by a motion to seal.

3. If the Government intends to seek restitution, a memorandum requesting restitution and all supporting documentation shall be filed on or before July 31, 2024. Failure to provide the restitution information or an explanation for why the restitution information is not yet ascertainable by this date may result in an order to show cause why the information could not have been timely provided and may result in the Court denying or delaying restitution until after a hearing not to exceed 90 days after sentencing.

DATED this 6 day of June, 2024.

BY THE COURT:



James K. Breder
United States District Judge